

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FRANCIS J. HARVEY, JR. and
JEAN P. WILHELM.

Plaintiffs,

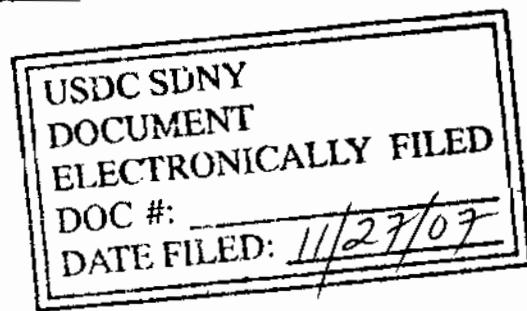
-against-

320 OWNERS CORP. and CHARLES
LOWERY, in his capacity as President
of 320 Owners Corp.,

Defendants.

: 07 CV 6763 (LAP)

: ORDER



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LORETTA A. PRESKA, United States District Judge:

Re: Certification Pursuant to 28 U.S.C. § 2403. This is to certify that the
constitutionality of the application of a state statute, RPAPL § 711(1) is arguably in
question in the above action. Argument on the merits of plaintiff's request for
preliminary injunction is scheduled for December 19, 2007.

SO ORDERED:

Dated: November 27, 2007



LORETTA A. PRESKA, U.S.D.J.

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